

AN ORDINANCE

02-0-0344

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO CLEAN THE PREMISES AND CLOSE THE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON JANUARY 31, 2002.

2099 Claude Street, NW	09
997 Dunning Street, SE	02
86 Mortimer Street, SE	05
216 Newport Street, NW	03

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on January 31, 2002, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, on January 31, 2002, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to clean the premises and close the various structures following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
2099 Claude Street, NW	09
997 Dunning Street, SE	02
86 Mortimer Street, SE	05
216 Newport Street, NW	03

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Clean the premises and board the structures(s) in conformity with the In Rem Review Board's Orders.
- (3) File a lien against the real property on which the structures(s) are attached for the cost incurred.
- (4) Maintain the property in conformity with the In Rem Review Board's Order until the structure(s) are repaired or demolished.

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Connie Bryan LLewellyn
Sebring Capital Corp.

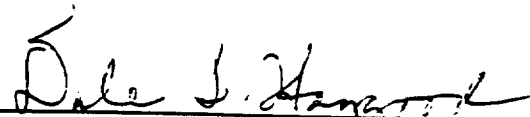
on 1-11-02 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia.
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 248 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING LOT 15, COLLINS PARK SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 38, PAGE 34, FULTON COUNTY, GEORGIA RECORDS. Being improved property known as 2099 Claude Street, NW according to the present system of numbering in the City of Atlanta, Georgia

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: January 11, 2002

BY:


Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195

BY:


Assistant Real Estate City Attorney

TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Shem Yaqoub
Joel M. Goldhar
Joseph Janoura & Pamela Janoura
Indy Mac Bank, FSB

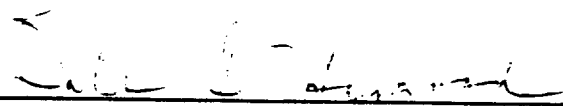

on 1-7-02 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 55 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST SIDE OF DUNNING STREET (FORMERLY FAIRVIEW AVENUE) TWO HUNDRED FIFTY-NINE (259) FEET NORTH OF THE POINT OF INTERSECTION OF THE WEST SIDE OF SAID DUNNING STREET WITH THE NORTH SIDE OF HAYGOOD AVENUE, AND RUNNING THENCE IN A NORTHERLY DIRECTION ALONG THE WEST SIDE OF OF DUNNING STREET A DISTANCE OF FORTY-ONE (41) FEET TO THE PROPERTY OF M.K. MARCHMAN; THENCE IN A WESTERLY DIRECTION ALONG THE SOUTH LINE OF THE PROPERTY OF SAID M.K. MARCHMAN A DISTANCE OF ONE HUNDRED (100) FEET; THENCE IN A SOUTHERLY DIRECTION PARALLEL TO THE WEST SIDE OF DUNNING STREET A DISTANCE OF FORTY-ONE (41) FEET; THENCE IN AN EASTERLY DIRECTION A DISTANCE OF ONE HUNDRED (100) FEET TO THE POINT OF BEGINNING. ALSO AN EASEMENT FOR DRIVE-WAY PURPOSES IN AND TO A STRIP OF LAND NINE (9) FEET IN WIDTH LYING ADJACENT TO, AND IMMEDIATELY SOUTH OF THE ABOVE DESCRIBED LOT OF LAND, SAID STRIP OF LAND TO BE USED JOINTLY BY THE GRANTEE, HIS HEIRS AND ASSIGNS AND THE OWNER OF THE PROPERTY LYING ADJACENT, AND IMMEDIATELY WEST OF THE ABOVE DESCRIBED LOT OF LAND, BEING IMPROVED PROPERTY KNOWN AS 997 DUNNING STREET, S.E., ATLANTA, GEORGIA 30316, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN FULTON COUNTY, GEORGIA.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: January 7, 2002

BY: 
Bureau of Neighborhood Conservation. Official Agent
(404) 330-6195
BY: 
Assistant Real Estate City Attorney

Assistant Real Estate City Attorney

TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Akinsheye X. Dorsett
First Union National Bank
Internal Revenue Service
Roadrunner Disposal Co., Inc.

on 1-7-02 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING THE CITY OF ATLANTA IN LAND LOT 110 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN AT THE NORTHWEST CORNER OF NEWPORT STREET (SOMETIMES KNOWN AS NEWPORT PLACE) AND THURMOND STREET; RUNNING THENCE NORTH ALONG THE WEST SIDE OF NEWPORT STREET EIGHTY-FIVE (85) FEET TO AN IRON PIN; THENCE WEST ONE HUNDRED TWENTY AND EIGHT TENTHS (120.8) FEET TO AN IRON PIN; THENCE SOUTH EIGHTY-EIGHT AND FIVE TENTHS (88.5) FEET TO AN IRON PIN AND THE NORTH SIDE OF THURMOND STREET; THENCE EAST ALONG THE NORTH SIDE OF THURMOND STREET ONE HUNDRED EIGHTEEN (118) FEET TO NEWPORT STREET AND THE POINT OF BEGINNING; BEING LOTS 75 AND 76 OF THE C. R. MORRIS PROPERTY AS PER PLAT OF W. J. HALLEY, C. E. DATED MAY 21, 1924, RECORDED IN PLAT BOOK 9, PAGE 192, FULTON COUNTY RECORDS, AND BEING MORE FULLY SHOWN ON A PLAT OF SURVEY MADE BY L. M. FITZPATRICK, C.E., DATED JULY, 1957, A COPY OF WHICH IS ON FILE IN THE OFFICE OF THE ATLANTA TITLE COMPANY AND BEING KNOWN AS NO. 216 NEWPORT STREET, N.W., ACCORDING TO THE PRESENT NUMBERING SYSTEM OF HOUSES IN THE CITY OF ATLANTA.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: January 7, 2002

BY: [Signature]
Bureau of Neighborhood Conservation. Official Agent
(404) 330-6195
BY: [Signature]
Assistant Real Estate City Attorney

To Mayor's Office: Greg Pridgeon

(for review & distribution to Executive Management)

Commissioner Signature *Antonia Dabbin*

Director Signature *Robert F. Lawrence* X6072

From: Originating Dept. Housing Demolition Contact (name) Dale Haygood - 6195

Committee(s) of Purview: Comm. Dvlpmt./HR Committee Deadline: February 15, 2002

Committee Meeting Date(s) Feb. 26 & Mar. 12, 2002 City Council Meeting Date: Mar. 4 & Mar. 18, 2002

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO CLEAN AND CLOSE THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD JANUARY 31, 2002.

2099 Claude Street, NW	09
997 Dunning Street, SE	02
86 Mortimer Street, SE	05
216 Newport Street, NW	03

BACKGROUND/PURPOSE/DISCUSSION:

Owner(s) and/or Parties in interest at above properties did not repair or demolish the structure and clean the premises in accordance with the Atlanta Housing Code of 1987.

FINANCIAL IMPACT (if any): Approximately \$ 4,800.00

(The actual calculations are not made until the property is released to the contractor. The cost for cleaning and boarding the property is calculated for each structure depending on the number of window and door openings and the trash and debris that is removed).

OTHER DEPARTMENT(S) IMPACTED: _____

Coordinated Review With: _____

Mayor's Staff Only

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Received by Mayor's Office: 2/12/02
(date) *JP*

Reviewed: _____
(initials) (date)

Submitted by Council: _____
(date)

Action by Committee:

<input type="checkbox"/> Approved	<input type="checkbox"/> Adversed	<input type="checkbox"/> Held	<input type="checkbox"/> Amended
<input type="checkbox"/> Substitute	<input type="checkbox"/> Referred	<input type="checkbox"/> Other	